

REMARKS

Claims 11, 12 and 14-24 are pending. By this response, claims 1-10 are cancelled and claims 11 and 14 are amended. Reconsideration and allowance based on the above-amendments and following remarks are respectfully requested.

Applicant appreciates the courtesies extended to applicant's representative during the personal interview conducted on October 22, 2003.

The Office Action rejects claims 11-12 and 14-24 under 35 U.S.C. §102(b) as being anticipated by Alexander (U.S. Patent No. 5,726,784). This rejection is respectfully traversed.

For reasons of brevity, applicant hereby incorporates the arguments in regard to the Alexander patent from the Response filed on June 26, 2003.

Alexander teaches the use of optical filters to filter out an optical signal of a specific wavelength. As illustrated in Fig. 3 and disclosed at column 7, lines 60-64 of Alexander, the optical filters 70 are constructed as a multiplayer thin film interference filter constructed to reflect an optical monitoring channel outside the gain band wavelength. The system of Alexander also utilizes a second optical filter 110 which selects signals to be sent to a receiver. See column 8, lines 45-55.

Although Alexander's system utilizes various optical filters, these filters are not constructed so as to be able to pass specific pass bands at different wavelengths and at least six payload channels. In contrast, the unique design of applicant's optical filters allows for the passing of multiple channels at different

wavelengths and the passing to at least six payload channels. It is the use of a plurality of alternating high and low refractive indices, in the present invention, that aids in the ability of the optical filters to perform as indicated above. (Emphasis Added)

Nowhere in Alexander does it teach or suggest using optical filters having the unique design of alternating high and low refractive indices as claimed by applicant. Thus, Alexander fails to teach or suggest, *inter alia*, each of said plurality of filtering elements having a single optical interference filter that includes a plurality of alternating high and low refractive indices and has two passbands, a first passband being configured to add/drop a plurality of optical signals, each of the optical signals being at a respective one of a plurality of wavelengths, as recited in claim 11.

Further, Alexander fails to teach or suggest, *inter alia*, an optical interference filter coupled to said optical communication path, said optical interference filter including a plurality of alternating high and low refractive indices and being configured to select a grouping of said plurality of optical signals and said service channel optical signal, as recited in claim 14.

In view of the above, applicants respectfully submit that the teachings in Alexander fail to teach and every feature of the claimed features as recited in independent claims 11 and 14. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b) in view of Alexander are respectfully requested.

In view of the above, applicant respectfully submits that the teachings of Mizrahi fail to anticipate the present invention as recited in claims 1 and 14. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

CONCLUSION

For at least these reasons, it is respectfully submitted that claims 11, 12 and 14-24 are distinguishable over the cited references. Favorable consideration and prompt allowance are earnestly solicited.

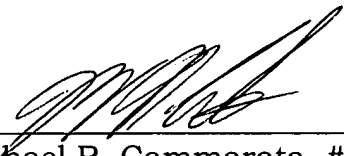
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 10/056,721

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s)